

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION**

UNITED STATES OF AMERICA

*

v.

*

Criminal No.: 14-PJM-0077

GREGORY ANTHONY KING

*

* * * * *

MOTION TO SUPPRESS STATEMENTS

The Defendant, Gregory Anthony King, by and through his attorneys, James Wyda, Federal Public Defender for the District of Maryland, and Ebise Bayisa, Assistant Federal Public Defender, hereby respectfully moves this Honorable Court, pursuant to Rule 12(b)(3) of the Federal Rules of Criminal Procedure, to suppress any and all statements, admissions and confessions allegedly given by him, whether oral, written or otherwise recorded, which the government proposes to use as evidence against him at trial. In support of the motion, Mr. King states as follows:

1. Mr. King is currently charged in a three-count Indictment with Sexual Exploitation of a Minor for the Purpose of Producing Child Pornography in violation of 18 U.S.C. §2251(a) (Count One); Travel with the Intent to Engage in Illicit Sexual Conduct in violation of 18 U.S.C. §2423(b) (Count Two); and Use of Interstate Commerce Facility to Entice a Minor to Engage in Sexual Activity in violation of 18 U.S.C. §2242(b) (Count Three). Mr. King was arraigned on March 26, 2014, and entered a plea of not guilty to all the counts in the Indictment.

2. On January 9, 2014, law enforcement officers from the Laurel Police Department arrested Mr. King pursuant to an arrest warrant and questioned him about his involvement in the offense. In response to this questioning, Mr. King made inculpatory statements regarding his

interactions with the victim.

3. Any statements, admissions, or confessions that were obtained in violation of Mr. King's privilege against self-incrimination and his right to counsel, as guaranteed by the Fifth and Sixth Amendments to the United States Constitution and the Supreme Court's holding in *Miranda v. Arizona*, 384 U.S. 436 (1966) should be dismissed.¹

4. Mr. King is entitled to a hearing regarding the voluntariness of any statements, admissions, or confessions attributed to him in accordance with the provisions of Title 18 U.S.C. §3501 and the principles set forth in the case of *United States v. Inman*, 352 F.2d 954 (4th Cir. 1965).

WHEREFORE, Mr. King moves that all statements, admissions and confessions that the government proposes to use as evidence against him, whether oral, written or otherwise recorded, be suppressed.

Respectfully submitted,

JAMES WYDA
Federal Public Defender
for the District of Maryland

/s/
EBISE BAYISA
Assistant Federal Public Defender
6411 Ivy Lane, Suite 710
Greenbelt, Maryland 20770
Telephone: (301) 344-0600
Facsimile: (301) 344-0019
Email: Ebise_Bayisa@fd.org

¹ In *Dickerson v. United States*, 530 U.S. 428 (2000), the Supreme Court affirmed *Miranda*, and held 18 U.S.C. § 3501 is unconstitutional insofar as it overruled *Miranda*. We assume that the procedures specified in § 3501 to determine voluntariness of a statement that are not in conflict with *Miranda* survive.

MEMORANDUM OF POINTS AND AUTHORITIES

1. *Miranda v. Arizona*, 384 U.S. 436 (1966).
2. *United States v. Inman*, 352 F.2d 954 (4th Cir. 1965).
3. *Dickerson v. United States*, 530 U.S. 428 (2000).